

MINUTES, REGULAR MEETING  
CITY COUNCIL, CITY OF LA CRESCENT, MINNESOTA  
OCTOBER 28, 2013

Pursuant to due call and notice thereof, the second meeting of the City Council of the City of La Crescent for the month of October was called to order by Mayor Mike Poellinger at 5:30 PM in the La Crescent City Hall, La Crescent, Minnesota, on Monday, October 28, 2013, followed by the Pledge of Allegiance. Upon a roll call taken and tallied by the City Administrator, the following members were present: Members Bernie Buehler, John Graf, Greg Husmann, Dale Williams, and Mayor Mike Poellinger. Members absent: None. Also present was City Administrator Bill Waller and City Attorney Skip Wieser.

Mayor Poellinger asked if anyone wished to take action to change the agenda as presented. There were no changes requested.

**ITEM 1 – CONSENT AGENDA**

At this time, the Mayor read the following items to be considered as part of the Consent Agenda for this regular meeting:

- 1.1 MINUTES – OCTOBER 14, 2013
- 1.2 BILLS PAYABLE THROUGH OCTOBER 24, 2013
- 1.3 CASH BALANCE/ACTIVITY REPORT – SEPTEMBER 2013
- 1.4 LIBRARY REPORT – SEPTEMBER 2013

At the conclusion of the reading of the Consent Agenda, Mayor Poellinger asked if the Council wished to have any of the items removed from the Consent Agenda for further discussion. Member Buehler made a motion, seconded by Member Williams, as follows:

**A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED**

Upon a roll call vote taken and tallied by the City Administrator, all Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.1 – SWEARING IN – POLICE OFFICER**

Mayor Poellinger conducted the official swearing in of Christopher Scott Frick as a Police Officer for the City of La Crescent Police Department.

### **ITEM 3.2 – HIRING RECOMMENDATION – MAINTENANCE DEPT.**

The Personnel Committee recommended to City Council to approve the hiring of Tyler Benish for the vacant Utility Maintenance Worker #1 position. This vacancy was created when Chris Oliver resigned. Mr. Benish has successfully completed all of the pre-employment checks and required tests. Pursuant to the terms of the AFSCME union contract, Mr. Benish would serve a 6 month probationary period. Following discussion, Member Husmann made a motion, seconded by Member Williams, as follows:

#### **MOTION TO APPROVE THE HIRING OF TYLER BENISH FOR THE VACANT UTILITY MAINTENANCE WORKER #1 POSITION WITH A 6 MONTH PROBATIONARY PERIOD PURSUANT TO THE TERMS OF THE AFSCME UNION CONTRACT.**

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

### **ITEM 3.3 – APPLEFEST PARADE RESTRICTIONS**

Chief Todd Nelson gave an overview regarding a proposal for an ordinance to restrict boulevard use prior to the Applefest King Apple Parade. 100 surveys were distributed to mostly residential property owners who were on the parade route. 28 of the 100 surveys were returned to the Police Department. From the surveys returned it was found the people who responded are passionate about the issue but little agreement on how to handle the situation. Chief Nelson recommended banning items on the boulevard before 6:00 PM on Applefest Saturday night. Following discussion, it was the consensus of the Council to direct City Attorney Wieser to prepare a regulation. No action taken.

### **ITEM 3.4 – DNR GRANT AGREEMENT – ASH TREE PROJECT**

Administrator Waller gave an overview regarding the \$75,000 grant the City has received from the Minnesota Department of Natural Resources to remove and replace ash trees. The City was eligible to submit this grant application due to the confirmed EAB infestation of ash trees within the City of La Crescent. In order to proceed with the project, the City Council needs to approve the grant agreement, and authorize the required signatures. A plan to proceed with the project will be presented at a future Council meeting and the grant requirements need to be completed by June 30, 2014 so the project will need to be implemented and completed in a timely fashion. Following discussion, Member Williams made a motion, seconded by Member Graf, as follows:

**MOTION TO APPROVE THE GRANT AGREEMENT FOR THE \$75,000 GRANT FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES TO REMOVE AND REPLACE ASH TREES IN THE CITY OF LA CRESCENT, AND AUTHORIZE THE REQUIRED SIGNATURES FOR THIS GRANT.**

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

**ITEM 3.5 – AMEND DEVELOPMENT AGREEMENT**

City Administrator Waller gave an overview and Council reviewed a proposed Agreement between the developers of Apple Blossom Pointe and the City. The Agreement states the following:

1. The developers will pay the City \$15,100 towards outstanding development costs owed to the City of approximately \$26,000. The City will waive the balance of the costs owed to the City;
2. The developers will waive any outstanding balances that may be due from the City to the developers. The number which the developers will be waiving exceeds the balance that the City will waive.
3. The City would amend the development agreement for the Apple Blossom Pointe development, and change the shoulder width from 4' to 2' on each side of the road. The pavement width would remain at 25'.

It was recommended to Council to approve the agreement as proposed and to authorize City staff to enter into negotiations with the owner of the balance of the valley to sell the property to the City of La Crescent. Following discussion regarding the shoulder width remaining 4', Member Graf made a motion, seconded by Member Williams, as follows:

**MOTION TO ADOPT ITEMS #1 AND #2 WITH THE SHOULDER WIDTH TO REMAIN 4' REGARDING #3 OF THE AGREEMENT BETWEEN OLD HICKORY LAND CORPORATION I, INC. AND OLD HICKORY LAND CORPORATION II, INC., AND THEIR SHAREHOLDERS, AND THE CITY OF LA CRESCENT.**

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

### **ITEM 3.6 – 2014 GENERAL FUND BUDGET REVIEW**

City Administrator Waller gave an overview regarding the proposed budget and the budget process. The City Council's budget and levy review and adoption meeting is set for 6:00 PM on November 25, 2013. No action taken.

### **ITEM 3.7 – CLOSE DEBT SERVICE FUND**

The 1999 GO Improvement Bonds (Fund 318) have been paid off in full leaving a fund balance of approximately \$7,500. It was recommended to Council to close this fund out and transfer the remaining balance to the Bonds Paid Up Fund (Fund 300). Following discussion, Member Williams made a motion, seconded by Member Graf, as follows:

#### **MOTION TO APPROVE THE CLOSING OUT OF THE 1999 GO IMPROVEMENT BONDS FUND AND TRANSFER THE FUNDS OF \$7,514.48 TO THE BONDS PAID UP FUND.**

Upon a roll call vote taken and tallied by the City Administrator, the following Members present voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried.

### **ITEM 3.8 – CAPITAL EQUIPMENT SALE RESULT**

City Administrator Waller gave an overview regarding the sale of the City's 1997 Caterpillar motor grader. This was for Council's information and no action was required. The sale price was \$131,100. The City will receive \$127,322.50 from the proceeds of the sale. These funds will then be applied to the capital equipment certificate which will be presented to the City Council in the future. The City had purchased this equipment in 1997 for approximately \$158,000. No action taken.

### **ITEM 3.9 – CAPITAL EQUIPMENT REVIEW**

Council reviewed a list of equipment that is proposed to be included in the capital equipment certificate. This was presented for review and discussion with no action required by Council at this meeting. The following is a summary of some of the items that are proposed to be included in the capital equipment certificate:

1. Replacement of all the computer work stations at City Hall and the Fire Department. The City's current operating system is xp, and that will no longer be supported after April, 2014.
2. Purchase new plow truck to replace 1991 plow truck. New plow truck to be fully equipped with equipment to apply salt brine.

3. Purchase new one and one-half ton pick-up to replace 1996 one ton pickup.
4. Purchase new front end loader to replace 1990 Case front end loader.
5. Purchase new greens mower to replace 2000 greens mower.
6. Purchase new tee mower to replace 2000 tee mower.
7. Purchase new fairway mower to replace 2004 fairway mower.
8. Purchase one new squad car per year, for each of the first three years of the life of the certificate.
9. Purchase new Police Department pick-up to replace 2006 pick-up.
10. Purchase new Fire Department pumper truck to replace 1992 pumper truck.

Also included for review and discussion was a bond schedule that was prepared by George Eilertson at Northland Securities. The 2009 capital equipment certificate that was just completed resulted in a yearly levy of approximately \$65,000 per year. As proposed, the yearly general fund levy, not including the Fire Department levy, necessary to satisfy this obligation would be approximately \$77,000 per year. It is intended to have Mr. Eilertson in attendance at the November 12<sup>th</sup> City Council Meeting to review the proposed financial plan. At that meeting the City Council will consider approving a motion to approve the financial plan, and a motion to approve the financial advisor agreement with Northland Securities. The results of the bond sale would then be presented at the December 9<sup>th</sup> City Council Meeting, at which time the Council would consider bids that are received for the bond sale. No action taken.

#### **ITEM 6.1 – LIBRARY BOARD MINUTES – AUGUST 13, 2013**

Council reviewed the Minutes of the La Crescent Public Library Board Meeting held on August 13, 2013. No action taken.

#### **ITEM 8.1 – CHAMBER OF COMMERCE**

The Chamber of Commerce had no items to report.

There being no further business to come before the Council at this time, Member Graf made a motion, seconded by Member Husmann, to adjourn the meeting. Upon a roll call vote taken and tallied by the City Administrator, all Members voted in favor thereof, viz;

Bernie Buehler	Yes
John Graf	Yes
Greg Husmann	Yes
Dale Williams	Yes
Mike Poellinger	Yes

and none voted against the same. The motion was declared duly carried and the meeting duly adjourned at 6:13 PM.

APPROVAL DATE: \_\_\_\_\_

SIGNED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Administrator